



REPLY TO  
ATTENTION OF:

DEPARTMENT OF THE ARMY  
DETROIT DISTRICT, CORPS OF ENGINEERS  
REGULATORY OFFICE  
MICHIANA BRANCH  
2422 VIRIDIAN DRIVE, SUITE 200  
SOUTH BEND, INDIANA 46628

January 26, 2012

EI-18786  
EB

Engineering & Technical Services  
Regulatory Office  
File No. LRE-2007-00130-171-J12

City of South Bend  
227 West Jefferson Boulevard  
South Bend, Indiana 46601

Re: Docket No. AB-290 (Sub-No. 286)

Dear Sir or Madam:

We recently received a request from Richard H. Streeter regarding the Corps of Engineers' jurisdiction over the abandonment of approximately 3.2 mile of an existing Norfolk Southern Railway Company railroad in South Bend running from St. Mary's College to near the intersection of Orange and College Streets.

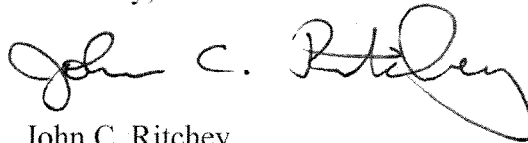
Work involving discharges of dredged and/or fill material in waters and wetlands falls under Corps of Engineers' regulatory jurisdiction. In all waters of the United States, including adjacent wetlands, any discharge of dredged and/or fill material must be authorized by the Department of the Army. The authority of the Corps of Engineers to regulate the discharge of dredged and/or fill material is contained in Section 404 of the Clean Water Act and regulations promulgated pursuant to that Act. Please be advised that filling and grading work, mechanized landclearing, the sidecasting of excavated material, and some forms of piling installation constitute or otherwise involve discharges of dredged and/or fill material under the Corps' regulatory authority.

Based upon a brief field inspection conducted on January 25, 2012 and review of the applicable National Wetland Inventory maps it would appear that the rail line in question crosses wetlands or waterways such as the St. Joseph River which are within the jurisdiction of the Corps. We determined that all potential wetlands and waterways are located below the raised bed of the rail line and/or are crossed by existing bridges. Work restricted within the limits of the existing raised bed would not require Department of the Army authorization.

Thank you for contacting the Corps prior to the initiation of any work. Should you have any questions, please contact me at the above address or telephone 574-232-1952 ext. 21962. Please refer to File No. LRE-2007-00130-171-J12 in all future communications with this office. Please note that the fact that a Corps permit is not required does not relieve you of the obligation to obtain required approvals from other agencies that may have regulatory jurisdiction. If you have any questions regarding this matter, please contact me at the above address or telephone 574-232-1952 ext. 21962 / E-Mail John.C.Ritchey@usace.army.mil. Please refer to File No. LRE-2007-00130-171-J12 in all future communications with this office.

We are interested in your thoughts and opinions concerning your experience with the Detroit District, Corps of Engineers Regulatory Program. If you are interested in letting us know how we are doing, you can complete an electronic Customer Service Survey from our web site at: <http://per2.nwp.usace.army.mil/survey.html>. Alternatively, you may contact us and request a paper copy of the survey that you may complete and return to us by mail or fax. Thank you for taking the time to complete the survey, we appreciate your feedback.

Sincerely,

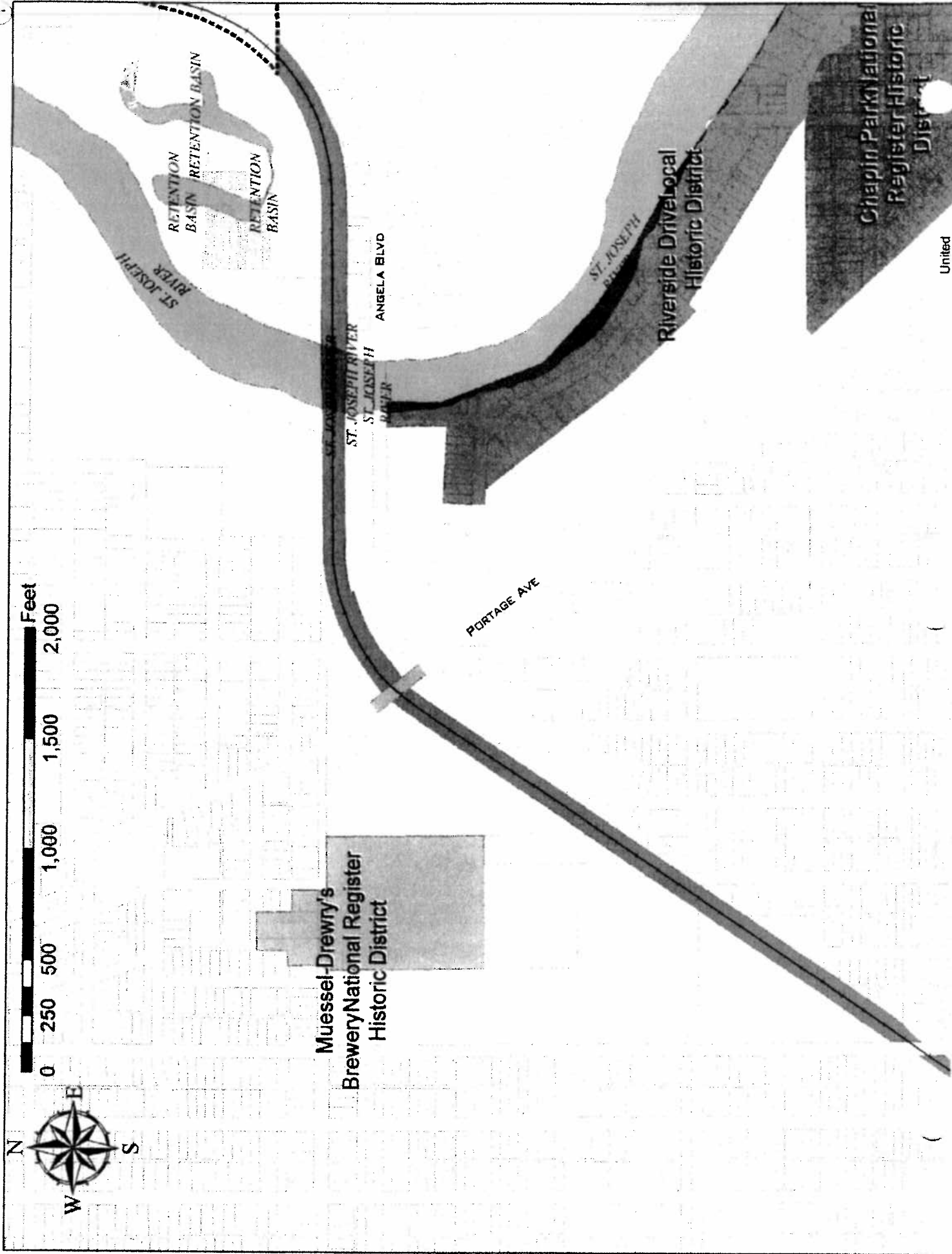
A handwritten signature in black ink, appearing to read "John C. Ritchey". The signature is fluid and cursive, with the first name "John" being the most prominent part.

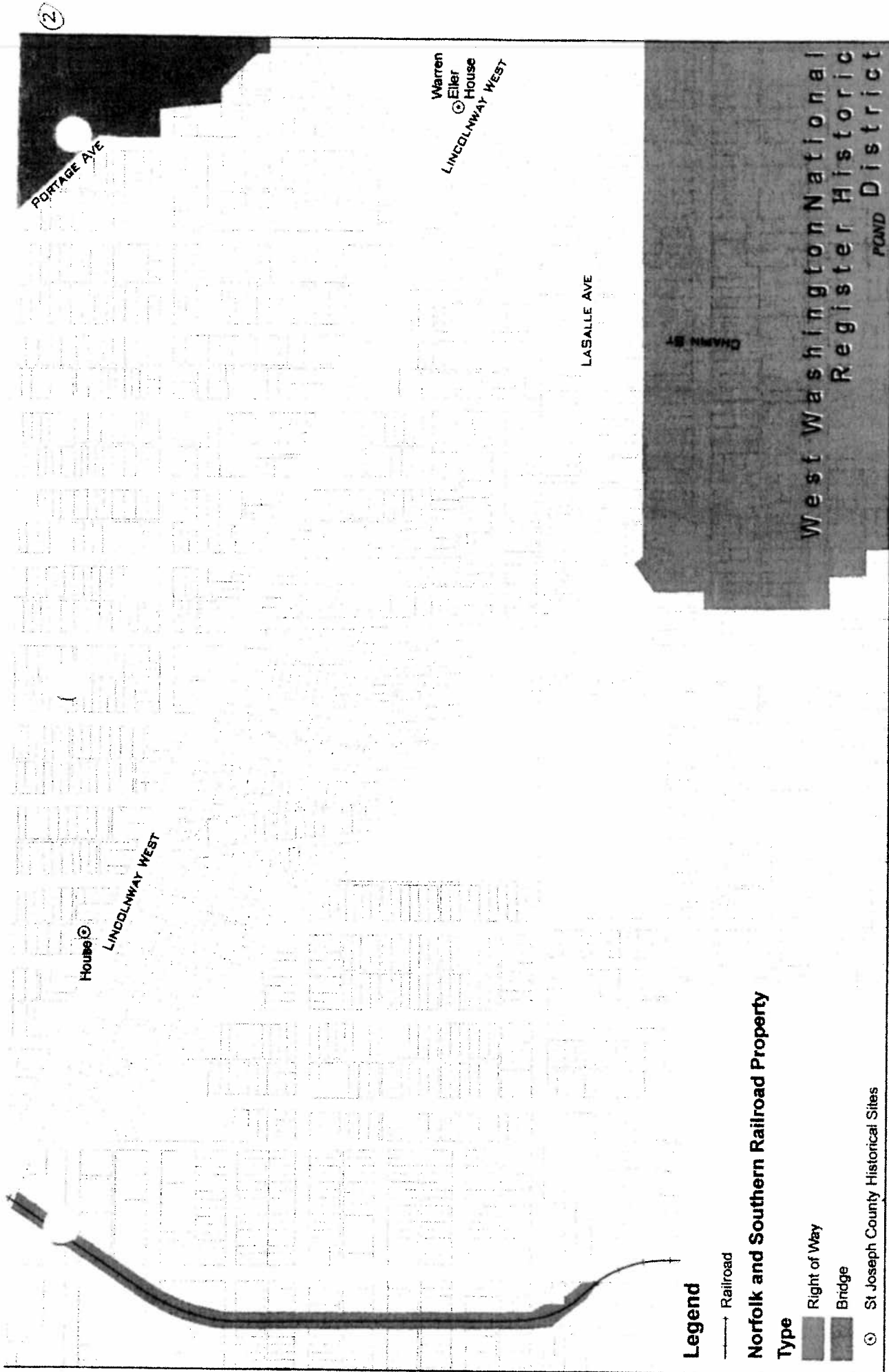
John C. Ritchey  
Project Manager  
Michiana Branch

Enclosures

Copy Furnished

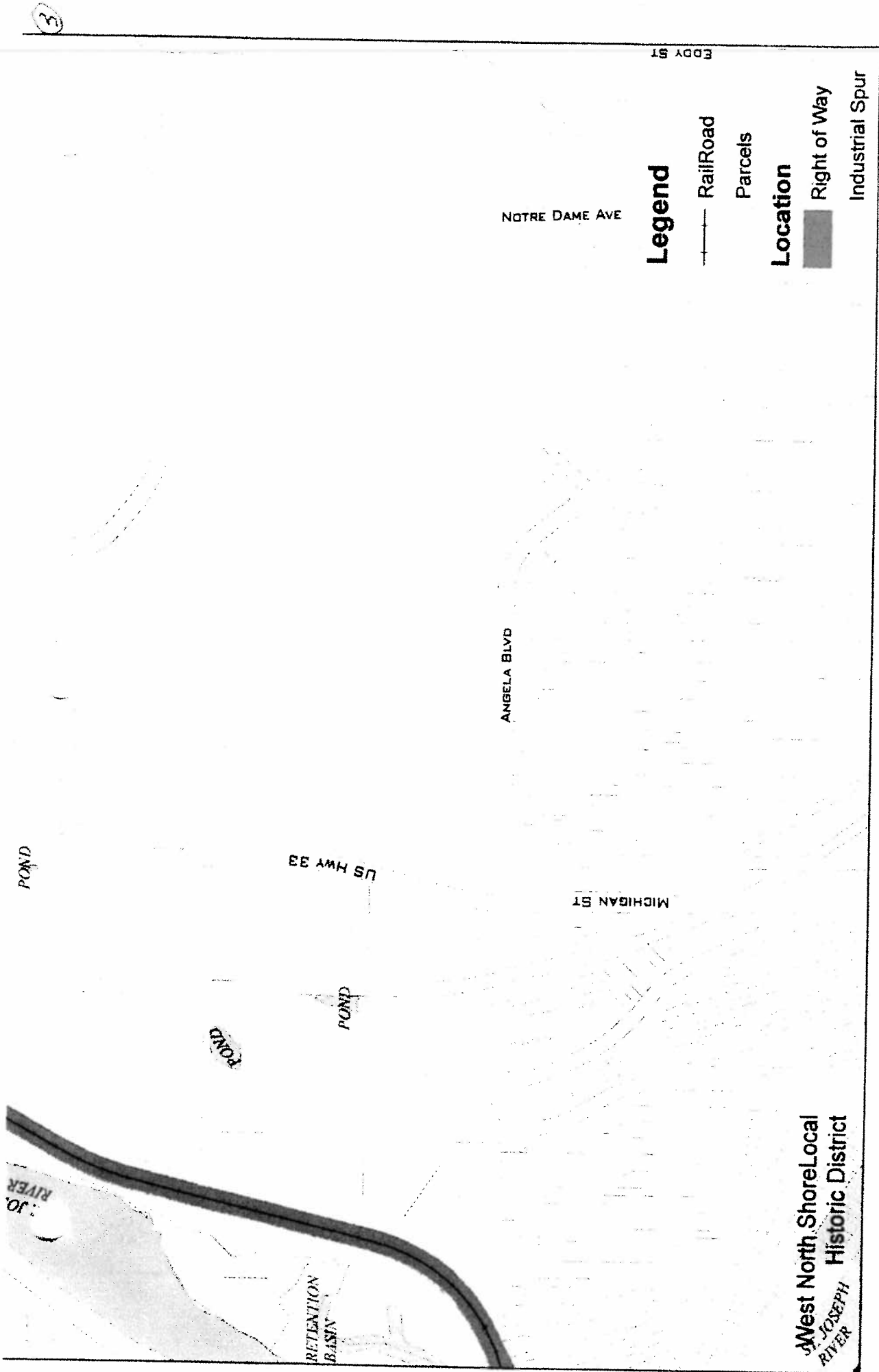
Brothers of Holy Cross, Inc.  
Sisters of the Holy Cross, Inc.  
Richard H. Streeter, Attorney at Law  
IDEM, Office of Water Quality  
IDNR, Division of Water





# Railroad Removal Impact Map





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